

# APPLICATION FOR REGISTRATION OF SOIL CONDITIONER

All registrations expire December 31 and should be renewed annually

NEBRASKA DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH PROTECTION  
P.O. BOX 94756  
LINCOLN, NEBRASKA 68509-4756

Name of Submitter of product label Alten, LLC Street Address 1344 County Road 10  
City/Town Mead State Nebraska Zip 68441 Date 10-23-18

Name and address of firm GUARANTEEING the product, if different than the submitter

Name and address of MANUFACTURER, if different than the submitter

Name and address of firm whose name appears on label, if different than the submitter

BRAND NAME: Durillo's Green  
Product Web site: N/A

List of ingredients present and the percentage of each: \_\_\_\_\_

LABEL MUST BE SUBMITTED FOR STATE USE Provide One (1) copy of Product label.  
Soil Conditioner Manufacturer and/or Distributor must have a distributor's license/permit, however,  
Soil Conditioner product is exempt from any registration fee.

☒ Ag Use ☐ Non-Ag Use ALSTAR participant: ☐ Yes ☐ No

Federal ID 27 1413202

<b>Office Use</b>	
Date Reviewed	<u>10-23-18</u>
Submitted format:	hard copy Pdf ALSTAR KellySolutions
Product Tracking #	
State Firm #	<u>10594</u>

Scott Tingelhoff  
Printed Name of responsible contact person  
Scott Tingelhoff  
Signature of responsible contact person  
Phone Number: (402) 624-2000 ext 108  
Fax Number: (402) 624-2027  
Email: stingelhoff@mrkgk.com

APPROVED

# Distiller's Grain

Guaranteed Analysis: May supply nitrogen, phosphorous, potassium, and other organic matter

Propose of the Product: Soil amendment intended to improve soil structure. This soil amendment is not intended for use as feed.

Directions for Application: Surface apply to desired rate prior to next cropping cycle.

AltEn, LLC, 1344 County Road 10, Mead, Nebraska 68041

Net Weight: Bulk by the ton

# Soil and Plant Amendments

Both soil amendments and plant amendments are included in the AAPFCO Uniform Soil Amendment Bill and Rules and Regulations.

## Definitions

**Soil amendment.** Any substance, or a mixture of substances, intended to improve the physical, chemical, biochemical or other characteristics of the soil, except fertilizers, agricultural liming materials, unmanipulated animal manures, unmanipulated vegetable manures, pesticides and other material exempted from regulation. [Uniform Soil Amendment Bill Section 3(a)] (See Sample Labels 4 and 5, pages 18 and 19)

**Plant amendment.** Any substance applied to plants or seeds which is intended to improve germination, growth, yield, product quality, reproduction, flavor or other desirable characteristics of plants, except fertilizer, soil amendments, agricultural liming materials, animal and vegetable manures, pesticides, plant regulators and other materials that may be exempted from regulation. [Uniform Soil Amendment Bill Section 16, Note No. 4] An example would be a microbial inoculum for legumes (see Sample Label 7, page 21).

## Label Requirements

All soil amendment labels must have six basic elements:

- **Net Weight** - the weight of the material as offered for sale.
- **Brand Name** - the term, designation, trade mark, product name or other specific designation under which individual soil amendments are offered for sale.

- **Guaranteed Analysis** -  
Soil Amending Ingredients  
"name of ingredient"....%  
(identify and list all)  
Total Other Ingredients....%
- **Purpose of Product**
- **Directions for Application**
- **Name and Address of Registrant**  
[Uniform Soil Amendment Bill, Section 4(a)]  
For an example of how a soil amendment label might appear, please see Sample Label 2 (page 11).

For bulk shipments, this information must accompany the delivery as a written or printed form and shall be supplied to the purchaser at the time of delivery. [Uniform Soil Amendment Bill, Section 4(a)]

No information or statement shall appear on any package, label, delivery slip, or advertising material which is false or misleading to the purchaser as to the use, value, quality, analysis, type or composition of the soil amendment. [Uniform Soil Amendment Bill, Section 4(b)]

The state may require proof of claims for any soil amendment. If no claims are made the State may require proof of usefulness and value of the soil amendment. [Uniform Soil Amendment Bill, Section 4(c)]

No soil amending ingredient may be listed or guaranteed on labels or labeling without the permission of the state agency responsible for the registration or licensing of soil amendments. [Uniform Soil Amendment Bill, Section 4(d)]

For soil amendments, the state agency responsible for the registration or licensing of soil amendments may allow labeling by volume rather than weight. [Uniform Soil Amendment Bill, Section 4(e)]

When active ingredients are claimed, all ingredients not listed by identity and amount are considered as other ingredients, as shown in Sample Label 4 (page 18).

*Instruction provided*

*- From AAPFCO label*

*guide*

*Guaranteed Analysis should state  
dist. how grain 100%*

When an ingredient statement is used it means a collective and continuous listing of the ingredients of which the soil amendment is composed. Such ingredients shall be listed in descending order by their predominance by volume or weight as appropriate in non-quantitative terms. [Rules and Regulations – Soil Amendments 1(c)] Sample Label 5 (page 19)

In lieu of a guarantee expressed as a percentage, a product that claims the presence of a microbe(s) shall guarantee the microbe(s) as follows:

- Minimum number of each claimed viable organism at the genus and species level in colony forming units (CFU), spores, or propagules per gram or milliliter (cm<sup>3</sup>).
- Expiration date.
- Storage and handling instructions.

[Rules and Regulations-Soil Amendment 2(d)]. Sample Label 7 (page 21).

Registrants of products that contain live microorganism(s) as active ingredients shall provide proof of the taxonomic identity of the organism(s) to the genus and species level and provide strain when known. Microorganisms that are listed as Risk Group Level 2 by the American Biological Safety Association (ABSA) on at least 3 of 9 reporting agencies or Biosafety Level 2 as defined by the American Type Culture Collection (ATCC) shall include the following precautionary statement on the label UNLESS sufficient safety information is provided by the registrant to waive the requirement or elements specified therein:

"This product contains live microorganisms and may cause adverse effects to persons with a compromised immune system. Avoid contact with eyes, mouth, and broken skin. Do not inhale product. Wear eye and skin protection when handling. Wash hands after using." (AAPFCO Statements of Uniform Interpretation and Policy 31) See flowchart Evaluation Framework for Products Containing Viable Microorganisms (page 17)

Each separately identified product shall be registered before being distributed in the State. [Uniform Soil Amendment Bill Section 5]

## Labeling and Misbranding

Labeling is anything that is used to promote the sale or distribution of a soil amendment. Labeling can be written, printed, graphic or verbal. It can be in the form of technical sheets, sales presentations, television or radio advertisements, websites, brochures or posters. It can be attached to the product, accompany the product, or be entirely separate from the product.

If labeling is false or misleading in any particular way, the product is considered as misbranded. If the contents, ingredients, name, grade or claims on a product label do not match the registered label, the product is misbranded. [Uniform Soil Amendment Bill Section 9].

No person shall distribute a misbranded soil amendment. [Uniform Soil Amendment Bill Section 9]

**Additional Notes**—The Federal Trade Commission (FTC) requires that any claims made in product advertising must:

- \* be truthful and non-deceptive, and
- \* have evidence to back up any claims, prior to making the claim.

The simple rule to avoid misbranding:

***If you claim it,  
you must guarantee it.***

# Label 4: Basic Elements of a Soil Amendment Label, Option 1

Brand Name	<h2 style="margin: 0;">SuperGro Soil Perfector</h2>
Guaranteed Analysis	<p style="text-align: center;"><u>Guaranteed Analysis</u></p> <p>Soil Amending Ingredients</p> <p style="padding-left: 40px;">Name of ingredient.....x%</p> <p style="padding-left: 40px;">Name of ingredient.....x%</p> <p style="padding-left: 40px;">Total Other Ingredients .....x%</p>
Purpose Statement	<p>Purpose statement: This product is intended to</p> <p>_____</p>
Directions for use	<p>Directions for use: .....</p>
Name and mailing address of registrant, distributor or manufacturer	<p>Farm Co-op</p> <p>Hwy 1, Box 7</p> <p>Centerville, Any State Zip Code</p> <p>Phone Number</p>
Net Weight or Volume	<p>Net Weight – 25 lb (11.33 kg)</p>